

1 BEFORE THE REAL ESTATE COMMISSION

2 STATE OF NEVADA

3 SHARATH CAHNDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS & INDUSTRY,
6 STATE OF NEVADA,

Case No. 2017-577

7 Petitioner,

FILED

8 vs.

MAY 06 2019

9 SUNG (KIM) LARSEN,

REAL ESTATE COMMISSION
BY *Evelyn Patten*

10 Respondent.

11
12 COMPLAINT AND NOTICE OF HEARING

13 The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND
14 INDUSTRY OF THE STATE OF NEVADA ("Division"), by and through its counsel Aaron
15 Ford, Attorney General of the State of Nevada, and Donald J. Bordelove, Deputy Attorney
16 General, hereby notifies RESPONDENT SUNG (KIM) LARSEN ("RESPONDENT") of an
17 administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION
18 ("Commission"). The hearing will be held pursuant to Chapters 233B and Chapter 645 of
19 the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code
20 ("NAC"). The purpose of the hearing is to consider the allegations stated below and to
21 determine if the RESPONDENT should be subject to an administrative penalty as set forth
22 in NRS 645.633 and/or NRS 645.630 and/or NRS 622.400, and the discipline to be imposed,
23 if violations of law are proven.

24 JURISDICTION

25 RESPONDENT was at all relevant times mentioned in this Complaint licensed by
26 the Division as a Salesperson under license number S.0051518, and is therefore subject to
27 the jurisdiction of the Division and the Commission, and the provisions of NRS Chapter
28 645 and NAC Chapter 645.

1 **FACTUAL ALLEGATIONS**

2 1. RESPONDENT was licensed as a Salesperson, license number S.0051518.

3 2. In or about October 2012, Complainant Stevins Jones ("Jones") went to Elite
4 Realty to find an agent to help him buy a home.

5 3. He was introduced to RESPONDENT who showed him properties.

6 4. RESPONDENT showed Jones a property located on Swandale Ave, Las
7 Vegas, Nevada (the "Property").

8 5. RESPONDENT wrote a cash offer, and Jones obtained the Property in or
9 about December 2012.

10 6. Thereafter, in or about December 2012, RESPONDENT told Jones that
11 RESPONDENT had a family emergency.

12 7. RESPONDENT asked Jones to loan her money.

13 8. RESPONDENT informed Jones that even with RESPONDENT's commission
14 related to the Property, this was not enough to cover RESPONDENT's family emergency.

15 9. On or about December 22, 2012, Jones loaned RESPONDENT \$9,500.

16 10. RESPONDENT promised to repay the loan in 30 days.

17 11. RESPONDENT did not pay back the loan in 30 days.

18 12. RESPONDENT has still not paid back the loan.

19 13. In the past four years, RESPONDENT has evaded Jones including failing to
20 answer her phone as well as changing her number and brokerage.

21 14. RESPONDENT admitted to taking the loan; however, she claimed the loan
22 was for \$4,500.

23 15. RESPONDENT admitted to failing to pay back Jones.

24 16. Jones produced the promissory note which states RESPONDENT received
25 \$9,500.

26 17. In her response to the Division, RESPONDENT promised to begin repaying
27 the loan.

28 18. At the time of filing this Complaint, RESPONDENT has failed to do so.

1 **VIOLATIONS**

2 RESPONDENT has committed the following violations of law:

3 1. RESPONDENT violated NRS 645.633(1)(i) *on two (2) occasions* by engaging
4 in conduct which constitutes deceitful, fraudulent or dishonest dealing in connection with
5 NAC 645.605(1) and/or (11) including promising to repay the loan, failing to do so, and/or
6 evading Jones, and/or claiming the loan was for a different amount.

7 2. RESPONDENT violated NRS 645.630(1)(a), (b), (f), and/or (h) *on two (2)*
8 *occasions* by making any material misrepresentation or false promise in connection with
9 NAC 645.605(1) and/or (11) including promising and failing to repay the loan and/or
10 additionally promising and failing to begin repayment of the loan in her response the
11 Division's investigation.

12 **DISCIPLINE AUTHORIZED**

13 1. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered
14 to impose an administrative fine of up to \$10,000 per violation against RESPONDENT and
15 further to suspend, revoke or place conditions on the license of RESPONDENT.

16 2. Additionally, under NRS Chapter 622, the Commission is authorized to
17 impose costs of the proceeding upon RESPONDENT, including investigative costs and
18 attorney's fees, if the Commission otherwise imposes discipline on RESPONDENT.

19 3. Therefore, the Division requests that the Commission take such
20 disciplinary action as it deems appropriate under the circumstances.

21 **NOTICE OF HEARING**

22 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider the
23 Administrative Complaint against the above-named Respondent in accordance with
24 Chapters 233B and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada
25 Administrative Code.

26 **THE HEARING WILL TAKE PLACE** on June 11, 2019, commencing at 9:00
27 a.m., or as soon thereafter as the Commission is able to hear the matter, and each
28 day thereafter commencing at 9:00 a.m. through June 13, 2019, or earlier if the

1 business of the Commission is concluded. The Commission meeting will be held
2 on June 11, 2019 and June 12, 2019 at the Nevada State Business Center, 3300
3 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102. Should
4 the meeting not be concluded, the meeting will continue on June 13, 2019,
5 commencing at 9:00 a.m. at the Nevada State Business Center, 3300 West Sahara
6 Avenue, 4th Floor – Tahoe Room, Las Vegas, Nevada 89102.

7 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled
8 at the same time as part of a regular meeting of the Commission that is expected
9 to last from June 11, 2019 through June 13, 2019, or earlier if the business of the
10 Commission is concluded. Thus, your hearing may be continued until later in
11 the day or from day to day. It is your responsibility to be present when your case
12 is called. If you are not present when your hearing is called, a default may be
13 entered against you and the Commission may decide the case as if all allegations
14 in the complaint were true. If you have any questions please call Evelyn Pattee,
15 Commission Coordinator (702) 486-4074.

16 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an
17 open meeting under Nevada’s open meeting law, and may be attended by the public. After
18 the evidence and arguments, the commission may conduct a closed meeting to discuss your
19 alleged misconduct or professional competence. A verbatim record will be made by a
20 certified court reporter. You are entitled to a copy of the transcript of the open and closed
21 portions of the meeting, although you must pay for the transcription.

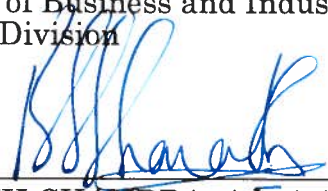
22 As the Respondent, you are specifically informed that you have the right to appear
23 and be heard in your defense, either personally or through your counsel of choice. At the
24 hearing, the Division has the burden of proving the allegations in the complaint and will
25 call witnesses and present evidence against you. You have the right to respond and to
26 present relevant evidence and argument on all issues involved. You have the right to call
27 and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any
28 matter relevant to the issues involved.

1 You have the right to request that the Commission issue subpoenas to compel
2 witnesses to testify and/or evidence to be offered on your behalf. In making the request,
3 you may be required to demonstrate the relevance of the witness' testimony and/or
4 evidence. Other important rights you have are listed in NRS 645.680 through 645.990,
5 NRS Chapter 233B, and NAC 645.810 through 645.875.

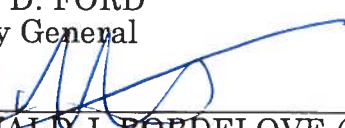
6 The purpose of the hearing is to determine if the Respondent has violated NRS 645
7 and/or NAC 645 and if the allegations contained herein are substantially proven by
8 the evidence presented and to further determine what administrative penalty is to be
9 assessed against the RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or
10 645.630.

11 DATED this 6 day of May, 2019.

12 State of Nevada
13 Department of Business and Industry
14 Real Estate Division

15 By: 
16 SHARATH CHANDRA, Administrator
17 3300 West Sahara Avenue, Suite 350
18 Las Vegas, Nevada 89102
19 (702) 486-4033

20 AARON D. FORD
21 Attorney General

22 By: 
23 DONALD J. BORDELOVE (Bar No. 12561)
24 Deputy Attorney General
25 555 East Washington Ave., Ste. 3900
26 Las Vegas, Nevada 89101
27 (702) 486-3094
28 Attorneys for Real Estate Division